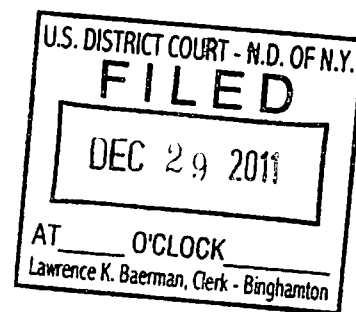


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
ALBANY DIVISION



HEIDI RODRIGUEZ and JUAN
RODRIGUEZ, individually and as parents and
natural guardians of the minor child, A.R.,

Plaintiffs

v.

VILLAGE GREEN REALTY, INC. D/B/A
COLDWELL BANKER VILLAGE GREEN
REALTY and BLANCA APONTE,

Defendants

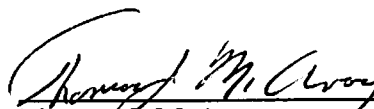
Case No. 1:11-CV-1068-TJM-DRH

ORDER DENYING DEFENDANTS' MOTION TO DISMISS

This matter came before the Court on November 14, 2011, on the Defendants' Motion to Dismiss for Failure to State a Claim [Doc. 6] and papers in support thereof, the Plaintiffs' Opposition [Doc. 10] and papers in support thereof, and upon oral presentations by counsel for Defendants and Plaintiffs. The Court, being duly advised in the premises, now finds the Motion should be GRANTED in part and DENIED in part.

For the reasons put on the record during the hearing on November 14, the Court GRANTS the motion with respect to any claims under 42 U.S.C. §§3604(a) and (b). The Court DENIES the motion in all other respects.

Dated: December 29, 2011


Thomas J. McAvoy
Judge, United States District Court,
Northern District of New York